

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**LEROY PENA,
Plaintiff,**

v.

**DALLAS POLICE ASSOCIATION
and CITY OF DALLAS,
Defendants.**

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Civil Action No. 3:22-CV-0987-N-BH

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

*Defendant Dallas Police Association's Motion to Dismiss Pursuant to Federal Rules of Civil Procedure, Rule 12(b)(5), 12(b)(2) (Insufficient Service, Lack of Personal Jurisdiction) or, Alternatively, Rule 12(b)(6) (Failure to State a Claim Upon Which Relief Can Be Granted), filed August 3, 2022 (doc. 7), is **GRANTED**, and all claims against the Dallas Police Association are **DISMISSED with prejudice** for failure to state a claim. By separate judgment, the plaintiff's claims against the Dallas Police Association will be **DISMISSED with prejudice**.*

SIGNED this 21st day of February, 2023.


CHIEF UNITED STATES
DISTRICT JUDGE